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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, NORTHERN DIVISION

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DONNAMAY BROCKBANK, DENNIS L.  
MOSES,

Plaintiff,

v.

WELLS FARGO, N.A., ETITILE  
INSURANCE AGENCY, DAVID E. ADAMS  
II, and DOES 1 THROUGH 30,

Defendants.

**MEMORANDUM DECISION AND  
ORDER ADOPTING REPORT &  
RECOMMENDATION**

Case No. 1:13-cv-147-DN-BCW

District Judge David Nuffer

Magistrate Judge Brooke Wells

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Magistrate Judge Brooke Wells's Report and Recommendation<sup>1</sup> under 28 U.S.C. § 636(b)(1)(B) recommends granting the motions to dismiss filed by each of the respective Defendants.<sup>2</sup> In response, Plaintiffs filed an "Objection to Report and Recommendation and Request for Oral Argument. Motion for the Right to File with the Court. And Motion for the Right to Serve Defendants in this Case. By the Use of Email as Approved by the Court that Would Allow for Verification and Guarantee that Proper Service was Accomplished." (the "Objection").<sup>3</sup>

Plaintiffs' Objection does not present any compelling legal argument to reject the Report and Recommendation. Instead, the Objection denies certain statements or paragraphs of the Report and Recommendation, but fails to support these denials with any admissible evidence or legal argument. Plaintiffs also request oral argument because Plaintiffs "do much better face-to-face in open court hearing" as opposed to written submissions.

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<sup>1</sup> [Docket no. 16](#), entered February 27, 2014.

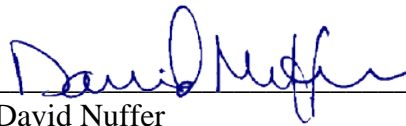
<sup>2</sup> Docket nos. [8](#), [9](#), and [14](#), filed December 8, 2013, December 9, 2013, and January 29, 2014, respectively.

<sup>3</sup> [Docket no. 17](#), filed March 14, 2014.

After review of all relevant materials de novo, it is clear that the Report and Recommendation should be adopted in its entirety. For all of the reasons set forth in the Report and Recommendation, Defendants' motions to dismiss are GRANTED and Plaintiffs' Complaint is DISMISSED WITHOUT PREJUDICE. Plaintiffs may file an Amended Complaint on or before June 25, 2014. Plaintiffs' Amended Complaint shall correct the deficiencies associated with their original complaint (as set forth in the Report and Recommendation). Failure to file an Amended Complaint that corrects these deficiencies on or before June 25, 2014 shall result in dismissal with prejudice.

Signed June 4, 2014.

BY THE COURT:



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David Nuffer  
United States District Judge